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NIXON & VANDERHYE
1100 North Glebe Road, 8th Floor
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In re Application of :
BOULANGER *et al* :
U.S. Application No.: 09/856,710 :
PCT No.: PCT/FR98/02563 :
Int. Filing Date: 27 November 1998 :
Priority Date: 27 November 1997 :
Attorney Docket No.: 1721-30 :
For: MEANS FOR GENERATING OPTICAL :
RADIATIONS TUNEABLE AT LEAST :
IN FREQUENCY :

DECISION

Applicants' "Request Under Rule 137(b) for Withdrawal of Unintentionally Abandoned Application" filed with the national stage papers on 25 May 2001 in the above-captioned application has been treated as a petition to revive pursuant to 37 CFR 1.137(b) and is hereby **GRANTED** as follows:

Applicants state that "the entire delay in filing the U.S. national phase request for examination from the due date for filing until the filing of a grantable petition pursuant to Rule 137(b) [*sic*] was unintentional" as required by 37 CFR 1.137(b)(3). The petition fee, basic national fee and additional claim fees have been paid. No terminal disclaimer is required. Thus, all requirements of 37 CFR 1.137(b) have been satisfied.

The processing fee of \$130.00 for filing an English translation late pursuant to 37 CFR 1.492(f) has been charged to Deposit Account No. 14-1140 as authorized. The executed declaration submitted with the national stage papers on 25 May 2001 was illegible and is therefore not in compliance with 37 CFR 1.497.

Accordingly, the application is being forwarded to the United States Designated/Elected Office for further processing including mailing a Notification of Missing Requirements (Form PCT/DO/EO/905) for failing to provide a declaration in compliance with 37 CFR 1.497 (a) and (b) and a surcharge fee of \$130.00 pursuant to 37 CFR 1.492(e).


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